

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7005

BILL NUMBER: HB 1298

NOTE PREPARED: Dec 31, 2008

BILL AMENDED:

SUBJECT: Require Identification to Buy Alcoholic Beverages.

FIRST AUTHOR: Rep. Culver

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires a seller of alcoholic beverages to require a consumer to present proof that the consumer is at least 21 years of age, regardless of the apparent age of the consumer. It provides that a permittee who fails to require a consumer to provide identification commits a Class A infraction.

Effective Date: July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues: *Court Fee Revenue* : The bill provides that a seller of alcoholic beverages who fails to require a patron to provide identification commits a Class A infraction. The maximum judgment for a Class A infraction is \$10,000, which would be deposited in the state General Fund. If additional civil actions occur and court fees are collected, revenue to the state General Fund may increase. A civil cost fee of \$70 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$7), judicial salaries fee (\$18), public defense administration fee (\$3), court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue*: If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100

civil costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources:

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